

### REMARKS

Reconsideration of this application is respectfully requested. Claims 1, 6 and 59 have been amended. The amendments are supported by the specification as filed. For example at, ¶¶ 0026, 0077, 0079, 0036 and 0100. No new matter was added.

**A. Claims 1 and 6, and their respective dependent claims, are patentable over Whitledge in view of Spyglass Prism and in further view of Lewis because neither of these references teaches or suggests acquiring original content from disparate content sources on multiple platforms in a network using the capture templates wherein the capture templates control the acquisition and extraction process, as claimed.**

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All the present rejections of claims 1 and 6, and their respective dependent claims, rely on the combined teachings of Whitledge, US Patent 6,925,595, Spyglass Prism: Concepts and Applications, and Lewis, US Patent 6,513,019. Contrary to the assertions in the Office Action, however, none of these references teaches or suggests methods or systems in which original content is acquired from disparate content sources on multiple platforms in a network under the control of capture templates, as recited in independent claims 1 and 6.

Whitledge describes a procedure in which hypertext electronic documents (i.e., Web pages) are converted into a format suitable for display on a particular device, according to various conversion preferences. The conversion process involves creating a document object model (DOM) for the subject Web page(s), using the DOM to extract designated elements from the Web page using data mining expressions, converting the extracted elements according to the conversion preferences, and then creating a new Web page using the converted form of the extracted elements.

Importantly, however, the DOM which is used to facilitate extraction of the designated portions of the Web page does not play any role in the actual acquisition of that Web page. Instead, the acquisition of the Web page is under the control of a proxy server disposed between the device from which the original request is made and the server on which the requested Web page resides. At col. 6, lines 32-35 and col. 8, lines 15-18, Whitledge explains that the acquisition process is controlled by the proxy. In particular, the proxy first consults a content converter to determine whether or not a copy of the Web page (in either its converted or original form) is available. If so, that stored copy is returned to the requesting device (after being converted, if necessary). If no such copy is available, the proxy and content converter request a copy of the original Web page from its host server.

Elements from that Web page are then extracted (using the DOM for the Web page to locate the appropriate elements), converted to a form appropriate for the requesting device and then delivered to that device via the proxy. See Whitledge, col. 13, l. 49 - col. 15, l. 9.

The DOM, which the Office Action equates to the recited capture templates, plays no role in the acquisition of the Web page (either the stored form or the original version thereof). Hence, Whitledge does not teach “acquiring original content . . . using the created capture templates”, as recited in claim 1, or “a content harvest and conversion platform to create capture templates . . . to acquire original content”, as recited in claim 6.

The Spyglass Prism reference is relied upon to demonstrate a streaming document, but adding such teaching to Whitledge would not affect the above conclusions regarding the patentability of claims 1 and 6.

Lewis is cited for teaching the acquisition of data from disparate sources on multiple platforms in a network, but adding such teaching to Whitledge (whether considered separately or in combination with the Spyglass Prism reference) would not affect the above conclusions regarding the patentability of claims 1 and 6. Indeed, Lewis describes a system in which business rules from a database are used to extract information from incoming messages. Lewis 6:7-14, 16:38-63. This extraction of data from incoming messages is not synonymous with acquiring original data under the control of capture templates. Instead, the data sources are inbound messages that are not acquired through the use of any templates whatsoever.

Accordingly, none of the cited references, whether considered alone or in combination, teach or suggest all of the features recited in claims 1 and 6, and, hence, claims 1 and 6, and their respective dependent claims, are each patentable over this combination of references.

**B. The remaining dependent claims are patentable over Whitledge, Spyglass Prism and Lewis, even when considered in combination with Lonnroth and Arens.**

*1. Claims 3 and 8*

Claims 3 and 8 were rejected as being unpatentable over Whitledge in view of Spyglass Prism and Lewis and further in view of Lonnroth, U.S. Patent No. 6,826,597. The patentability of these claims, which depend from claims 1 and 6, respectively, over Whitledge, Spyglass Prism and Lewis was addressed above. Lonnroth discusses a system and method for providing clients with

services to retrieve data from data sources that do not necessarily support the protocol and format required by the clients. This scheme does not involve acquiring original content from disparate content sources on multiple platforms in a network under the control of capture templates. Instead, intermediate response XML documents are created from received HTML content, those documents are filtered by selectively removing content according to filtering rules, and an XSL styling sheet is applied to format the response document according to another set of rules associated with the style sheet. Neither the response XML document nor the XSL styling sheet described by Lonnroth can be considered a capture template created to acquire original content as recited in the present claims.

Thus, adding the teachings of Lonnroth to those of Whitledge, Spyglass Prism and Lewis would not alter the conclusions of patentability with respect to claims 1 and 6 set forth above. Because these independent claims would remain patentable over the combination of references it follows that dependent claims 3 and 8 would likewise be patentable over these references.

## *2. Claims 5 and 10*

Claims 5 and 10 are rejected as being unpatentable over Whitledge in view of Spyglass Prism and Lewis and further in view of Arens, "Intelligent Caching: Selecting, Representing, and Reusing Data in an Information Server", which discusses caching results of queries and how to use such cached results for future queries. The patentability of these claims, which depend from claims 1 and 6, respectively, over Whitledge, Spyglass Prism and Lewis was addressed above. For its part, Arens, does not describe acquiring original content from disparate content sources on multiple platforms in a network under the control of capture templates and the Office Action does not contend otherwise. Hence, the patentability of independent claims 1 and 6, and by implication their respective dependent claims 5 and 10, is not affected by adding the teachings of Arens. Stated differently, these claims remain patentable for at least the reasons set forth above.

## **C. Contrary to the conclusions set forth in the Office Action, claims 59 and 60 are patentable over Whitledge in view of Lewis.**

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Claim 59 includes the feature of harvesting content from disparate content sources on multiple platforms in a network by accessing original content and selectively extracting media assets based on acquisition rules stored in a repository. Whitledge does not have any provision to harvest content and media assets from disparate content sources on multiple platforms on the network based on acquisition rules stored in a repository. Instead, the acquisition is under the control of a proxy server, as discussed above.

Adding the teachings of Lewis fails to cure Whitledge's deficiencies. Lewis describes business rules stored in database that are used to extract information from incoming messages. Lewis 6:7-14. However, Lewis neither teaches nor suggests harvesting content from disparate content sources on multiple platforms in a network by accessing original content and media assets and selectively extracting the data based on acquisition rules stored in a repository, as recited in independent claim 59. The system described in Lewis is based on extracting information from incoming messages, rather than harvesting data from disparate content sources in a network.

Therefore, for at least these reasons, claim 59 and its respective dependent claims, are patentable over the combination of Whitledge and Lewis.

For all of the foregoing reasons, all the present claims are patentable over the references cited in the Office Action. If there are any additional fees due in connection with this communication, please charge our deposit account no. 19-3140.

Respectfully submitted,  
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